

10/519214

DI PCT/PTO 27 DEC 2004

Docket No.: 5000-0110PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Eberhard AMMERMAN et al.

Application No.: Not Yet Assigned

Filed: December 27, 2004

For: FUNGICIDAL MIXTURES BASED ON THE  
DITHIANON

Confirmation No.: N/A

Art Unit: N/A

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

A copy of each reference on the PTO/SB/08 is attached.

European Patent No. 0 556 157 Corresponds to United States Patent No. 5, 373, 013.

European Patent No. 0 196 038 Corresponds to United States Patent No. 4,652,580.

Application No.: Not Yet Assigned

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European Patent No. 0 040 345 Corresponds to United States Patent No. 4,532,341.

European Patent No. 0 354 182 Corresponds to United States Patent No. 4,940,721.

European Patent No. 0 196 038 Corresponds to United States Patent No. 4,652,580.

European Patent No. 0 065 485 Corresponds to United States Patent No. 5,266,585.

WO98/47367 Corresponds to United States Patent No. 6,306,850.

WO96/16048 Corresponds to United States Patent No. 5,846,397.

Those documents which are marked with a double asterisk (\*\*) next to the Cite No. in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application number PCT/EP2003/06888, filed June 30, 2003.

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

10/519214

ST-68 PCT/PTC 27 DEC 2004

Application No.: Not Yet Assigned

Docket No.: 5000-0110PUS1

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 02-2448, under Order No. 5000-0110PUS1. A duplicate copy of this paper is enclosed.

Dated: December 27, 2004

Respectfully submitted,

By Scott L. Lowe

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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	Not Yet Assigned <b>10/519214</b>	
			Filing Date	December 27, 2004	
			First Named Inventor	Eberhard AMMERMANN	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	2	Attorney Docket Number	5000-0110PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-5, 373,013-A	12-13-1994	Hubele et al.	
	AB	US-4, 652,580-A	03-24-1987	Janssen et al.	
	AC	US-4, 532,341-A	07-30-1985	Holmwood et al.	
	AD	US-4, 940,721-A	07-10-1990	Nevell et al.	
	AE	US-5, 266,585-A	11-30-1993	Hubele et al.	
	AF	US-6, 306,850-B1	10-23-2001	Dutzmann et al.	
	AG	US-5, 846,397-A	12-08-1998	Manzatu et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	BA	EP-0 526 206-A	02-03-1993			
	BB	EP-0 267 778-A	05-18-1988			
	BC	DE-36 09 646-A	09-24-1987			
	BD	EP-0 951 831-A	10-27-1999			
	BE	DE-43 18 372-A1	12-16-1993			
	BF	EP-0 196 038-A	10-01-1986			
	BG**	EP-0 556 157-A	08-18-1993			
	BH**	EP-0 040 345-A	11-25-1981			
	BI	EP-0 236 689-A	09-16-1987			
	BJ**	EP-0 354 182-A	02-07-1990			
	BK**	EP-0 065 485-A	11-24-1982			
	BL	WO-03/090538-A1	11-06-2003			
	BM**	WO-98/47367-A1	10-29-1998			
	BN**	WO-96/16048-A	05-30-1996			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*\* CITE NO.: Those document(s) which are marked with an double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	H. FLEMMING et al., Dithianon; an organic compound with wide fungicidal efficiency" XP002259625 Database CA Online Chemical Abstracts Service, Columbus Ohio, US, Vol. 70, NR. 1, 1963, pp. 4-11	
	CB	P.E.RUSSEL et al., Fluquinconazole, a novel broad-spectrum fungicide for foliar application "Broughton drop protection in potetion conference pests and diseases no. 1, 1992 pp. 411-418 XP002274263, Database CA Online Chemical Abstracts Service, Columbus Ohio, US	
	CC	Score Top; Fungizid zur Bekämpfung von Schorf, Mehltau und Blütenmonilia im Obstbau January 2002	
Examiner Signature			Date Considered

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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	5000-0110PUS1

	CD	J. RUEEGG et al., "Adaption of spray dosage in stone-fruit orchards on the basis of tree row", Vo. 29, no. 1-2, 1999 pp. 103-110 volume: XP002274264, Database Cropu 'Online	
	CE	ANONYMOUSLY: Combinations of Microbiocides for improved plant protection in pomefruit". Research disclosure., Nr. 29748, January 1989	
	CF	Y. ZHANG et al., "Variation in Sensitivity to Sterol Biosynthesis Inhibitors (SBI) of Different Isolates of Monilinia Species" Database Cropu "Online, Vo. 98, No. 3, 1991 pp. 317-322	
	CG	M.K. KIMURA et al., "In vitro sensibility of Botrytis cinerea to fungicides" XP002274266, Database CA Online Chemical Abstracts Service, Columbus Ohio, US, Vo. 25, No. 5, 2001 pp. 1150-1160	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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